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## UNITED STATES BANKRUPTCY COURT DISTRICT OF VERMONT

In re:

R & G Properties, Inc., Debtor. Chapter 11 Case # 08-10876

Appearances:

Michelle Kainen, Esq. Kainen Law Offices, P.C. White River Jct., VT

Rodney E. McPhee, Esq. Kenlan, Schwiebert, Facey & Goss, P.C. Rutland, VT

Heather Z. Cooper, Esq.

For the Debtor Rutland, VT
For the Creditor

## ORDER DENYING CREDITOR'S MOTION TO DISMISS, AND ALTERNATIVELY, FOR RELIEF FROM STAY

Based on the reasoning set forth in the memorandum of decision of even date,

IT IS HEREBY ORDERED that Capmark Finance Inc.'s motion (doc. # 111) to dismiss this chapter 11 case, pursuant to 11 U.S.C. § 1112(b), or alternatively, for relief from stay pursuant to § 362(d), is denied.

SO ORDERED.

Rutland, Vermont April 16, 2009

Colleen A. Brown

United States Bankruptcy Judge

Filed & Entered
On Docket
April 16, 2009